

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, |) | |
| |) | 8:11CR296 |
| Plaintiff, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| ANDRES LOPEZ, |) | |
| |) | |
| Defendant. |) | |

This matter is before the Court on the motion of defendant Andres Lopez (Lopez) for an extension of the pretrial motion deadline ([Filing No. 46](#)). The motion does not comply with NECrimR 12.1 (a) and paragraph 9 of the Progression Order ([Filing No. 38](#)) in that the motion is not accompanied by the defendant's affidavit or declaration stating that defendant:

- (1) Has been advised by counsel of the reasons for seeking a continuance;
- (2) Understands that the time sought by the extension may be excluded from any calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*; and
- (3) With this understanding and knowledge, agrees to the filing of the motion.

Accordingly, the motion ([Filing No. 46](#)) is :

(X) Held in abeyance pending compliance with NECrimR 12.1(a) and Paragraph 9 of the Progression Order. Absent compliance **on or before April 3, 2012**, the motion will be deemed withdrawn and termed on the docket.

() Denied.

IT IS SO ORDERED.

DATED this 27th day of March, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge